

Amendment
Application Filed: February 15, 2007
Serial No: 10/561,352

REMARKS

Claims 25 and 27 through 32 remain in the patent application. Claims 1 through 24 had been previously cancelled. Claim 26 is cancelled in this response. Claims 25, 27 and 32 have been amended. Claim 25 is in independent form.

The Examiner has located the concise statement of the relevance with regard to the non-English foreign references cited in the prior IDS. Applicant thanks the Examiner for locating the document. Regardless, Applicant hereby submits a new Form PTO/SB/08A and an additional copy of the previously filed Information Disclosure Statement, both of which having the identical references as the previous Form PTO/SB/08A and the Information Disclosure Statement. Form PTO/SB/08A has the two leading zeros in the pre-grant publication for 2006/0087754. Even though the Examiner correctly identified this reference in her first office action as being the reference that was intended to be cited, the Examiner chose to act contrary to the cited USPTO Vision which states that “the USPTO will lead the way in creating a quality-focused, highly productive, responsive organization supporting a market-driven intellectual property system for the 21st Century.” Rejections such as these are not highly productive and persuade USPTO clients to think twice before using its services in the future.

The Examiner has objected to the Specification in that the title is not descriptive. Applicant respectfully traverses this objection. “The title should be brief but technically accurate and descriptive and should contain fewer than 500 characters,” MPEP §606. Applicant asserts that its title meets all the requirements set forth in this section of the MPEP. As proof of such, Applicant turns Examiner’s attention to United States Patent 7,387,396, United States Patent 7,293,888, United States Patent 7,287,868, United States Patent 7,209,278, United States Patent 7,370,984 and United States Patent 7,242,320. These patents were all located in the same class and subclass that Applicant’s patent application is preliminarily classified under regardless of its

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title. Once the Examiner has reviewed these patents and the titles thereof, Applicant would respectfully request the Examiner consider making a suggestion as to what an appropriate title would be for the above-captioned patent application.

Claims 25 through 32 stand rejected under 35 U.S.C. §102(b) as being anticipated by a U.S. patent application having a publication number 20020080506 [sic]. Applicant respectfully traverses this rejection.

The United States patent application having publication number 2002/0080506 (the '506 reference) discloses rearview mirror assemblies for motor vehicles (Title). This reference discloses a mirror having a mirror housing 2 with a cover 5. A mirror element 6 is secured within the mirror housing frame 4. "The entire rearview mirror is fastened by means of a clamping connection 8 on a holding tube 10" (paragraph [0019]). **In this reference, it is important to note that the holder tube 10 acts as the bracket that secures the mirror housing 2 to the motor vehicle (not shown).** The clamping connection 8 includes a plurality of hook elements 18. These "hook elements 18 fit into a corresponding hook opening 22 in the mirror housing frame 4. As one can see in FIGS. 2 and 4, the part 20 of the clamping bracket 12 is connected to the mirror housing framing 4 by means of four screw connections 24," (paragraph [0020]). **The clamping bracket 12 is not to be confused with a mirror bracket in the mirror art – the clamping bracket 12 is something entirely different than a mirror bracket.** More specifically, the terms "mirror bracket" is the device that holds a mirror assembly to a motor vehicle. Unlike the term used in the other prior art and in the above-captioned patent application, in this reference, the clamping bracket 12 is a device that is fixedly secured within the mirror housing to a backing plate of sorts (part 20) that has two trough-like recesses 16, 14 that receive the holder tube 10 (the part that is presumably secured to the motor vehicle and commonly referred to as mirror bracket in the mirror arts) and secures the mirror housing 2 to the holder tube 10 via a friction fit or friction force. In the '506 reference, the clamping bracket 12 can never be secured to the motor vehicle but through an intermediate

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structure (the holding tube 10), never touches the motor vehicle and does not act as a mirror bracket in the sense that those terms are used by one skilled in the art.

Claim 25 as amended to clarify the invention, claims an outside rearview mirror assembly for a motor vehicle. The outside rearview mirror assembly includes a mirror housing 2 including a circumferential lateral wall 4 defining an opening and an insertion opening 7 and a back wall 5. A mirror mounting bracket 3 is fixedly secured to the motor vehicle and is insertable into the mirror housing through the insertion opening. The mirror mounting bracket 3 includes a catch recess 17'. A snap-tongue 15 defines a free end and extends out from the back wall within the mirror and provides for a positive locking engagement with the catch recess 17' of the mirror mounting bracket 3 when the mirror mounting bracket 3 is inserted into the insertion opening 7 to lock the mirror mounting bracket therein such that the mirror housing 2 is fixedly secured to the motor vehicle.

While the '506 reference discloses a mirror housing that receives a mirror bracket (the holding tube 10) through two holes in the top and bottom of the mirror housing, it does not disclose a mirror mounting bracket that includes a catch recess. The mirror bracket of the '506 reference is merely a tube having a circular cross-sectional periphery that extends through the entire length of the mirror casing. It does not have a catch recess – it is perfectly smooth. The whole system of the '506 reference relies on friction around a tube 10 wherein a hook element 18 is pressed into a hook opening 22 to frictionally engage with the holding tube 10 so that the mirror housing stays in relatively the same position.

In contradistinction, claim 25, as amended to clarify the invention discloses a rearview mirror assembly having a mirror mounting bracket with a catch recess. A snap tongue extends out from the back wall of the mirror housing and is used to positively engage the catch recess of the mirror bracket (**e.g., the holding tube 10 of the '506 reference**), which is secured to the motor vehicle, to secure the mirror housing to the mirror mounting bracket. Claim 25 does not rely on a device that secures and friction fits a tube that extends therethrough. It discloses a catch

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recess and a snap-in tongue that positively that positively lockingly engage to secure the housing to the mirror mounting bracket. Therefore, claim 25, and all claims depending therefrom, overcome the rejection under 35 U.S.C. §102(b) and are in condition for allowance.

It is respectfully submitted that this patent application is in condition for allowance, which allowance is respectfully solicited. If the Examiner has any questions regarding this amendment or patent application, or if the Examiner is considering additional rejections, the Examiner is emphatically invited to contact the undersigned.

The Commissioner is hereby authorized to charge any additional fee associated with this Communication to Deposit Account No. 50-0852.

Respectfully submitted,

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